

# MINISTRY OF THE ENVIRONMENT



**1990-91 ESTIMATES**

**CURRENT ISSUES**

**MINISTRY ADMINISTRATION (1501)**

**MAIN OFFICE**

**CORPORATE RESOURCES DIVISION**

HC  
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**RESOURCE PLANNING OFFICE  
FEBRUARY 1991**

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# **MINISTRY OF THE ENVIRONMENT**

**1990-91 ESTIMATES**

**CURRENT ISSUES**

**MINISTRY ADMINISTRATION (1501)**

**MAIN OFFICE**

**CORPORATE RESOURCES DIVISION**

**HAZARDOUS CONTAMINANTS  
COORDINATING OFFICE  
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**RESOURCE PLANNING OFFICE  
FEBRUARY 1991**

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**FINANCIAL AND ADMINISTRATIVE SERVICES (1501-2)**

## **FREEDOM OF INFORMATION (FOI)**

### **BACKGROUND:**

- During the first year of the implementation of the Freedom of Information and Protection of Privacy Act, the Ministry of the Environment received 96 access to information requests. The Ministry received 167 requests in 1989 and 188 in 1990.
- In 1989 (last available statistics), the Ministry disclosed all existing records for 71% of the requests and provided partial information for an additional 17%.
- During 1989, the Ministry collected \$3,517.80 in fees levied for the servicing of FOI requests.
- Four appeals were launched in 1989. All have been satisfactorily resolved.
- Two additional agencies reporting to the Ministry are now covered by the Act. These are the Advisory Committee on Environmental Standards and the Niagara Escarpment Commission.

### **CURRENT SITUATION:**

- In the first half of 1990, the Ministry processed 97 requests. All records available were disclosed for 63% of the requests. Partial information was disclosed for 30% of the requests.
- Seventy-five percent of these requests were responded to within 30 calendar days. A total of \$2,592.60 was collected in fees.
- Eight appeals were launched against the Ministry in the first half of 1990. All but one of these are still outstanding.

### **FUTURE ACTION:**

- The Ministry is installing the newly written Information and Privacy Commissioner's tracking system in order to efficiently manage the processing of requests and to provide an annual report to the Information and Privacy Commissioner.
- Training sessions for the Ministry's branches, regions and offices are continuing on a regular basis to ensure compliance with the access and privacy provisions of the legislation and protection of proprietary information submitted to the Ministry by corporations.

- FOI audit guidelines are being developed to ensure the Ministry's compliance with the requirements of the Act.

Administrative Services Branch



**HUMAN RESOURCES SERVICES (1501-3)**

## EMPLOYMENT EQUITY INTERNSHIP PROGRAM

### BACKGROUND:

- In keeping with the recommendations of the Human Resources Secretariat's "Strategies for Renewal", the Employment Equity Internship Program seeks to offset the growing trend towards an aging Ontario Public Service. By recruiting dynamic young people into the Ontario Public Service, managers are creating a resource pool of high potential and well prepared candidates for future permanent positions.
- The Employment Equity Internship Program reflects the Government's commitment to youth employment and training. The Program pursues these objectives by providing two years of on-the-job training to qualified recent college and university graduates who fall within the five target groups under employment equity.
- Human Resources Secretariat fully funds this Program for the first year of the two year program. Second year funding is split 50/50 between the Secretariat and the receiving Branch/Region.
- Salaries paid to these interns are based on the minimum of the General Administration, AM-13 level (\$32,017 per annum) with the opportunity for a 5% merit increase in their second year.

### CURRENT SITUATION:

- Six Ministry project proposals were approved by the Human Resource Secretariat for the 1990/1991 year.

#### Distribution

Southwest  
Northwest  
Northeast  
Laboratory Services  
Human Resources  
Environmental Assessment

#### Project Description

Environmental Officer Trainee  
Junior Hydrogeologist  
Evaluator Trainee  
Litigation Scientist  
Human Resources Intern  
Environmental Planner Trainee

Human Resources Branch

## **ENVIRONMENTAL CERTIFICATION**

### **BACKGROUND:**

- The Ministry of the Environment is responsible for ensuring the protection of the environment. One way of achieving this is to put in place environmental certification programs for operators of water and wastewater utilities.
- On December 4, 1986 the Ministry of the Environment announced the introduction of the Certification Program for operators engaged in the water and wastewater utilities.
- On February 9, 1987 the Ministry, in cooperation with the Ontario Municipal Engineers Association, initiated the voluntary Certification Program for operators of water and wastewater utilities (water treatment, water distribution, wastewater treatment and wastewater collection).
- The Program classifies utilities into four general classifications according to complexity of operation. Operators are certified according to formal education, operating experience and level of responsibility.
- The Program is implemented under the guidance of an interim Ontario Board of Certification consisting of representatives from the Ontario Federation of Labour, the Ministry of the Environment, the Municipal Engineers Association, the Pollution Control Association of Ontario and the Ontario Section of the American Water Works Association.

### **CURRENT SITUATION:**

- It was announced that the water and wastewater Operator Certification Program would become mandatory as of October 1, 1991.
- To date, 4,000 operators have been certified and 1,600 utilities have been classified.
- Regulation requires legislation amendments if it is to be implemented as planned.
- Discussions are currently being held with industries which are regulated under the Ministry's MISA (Municipal Industrial Strategy for Abatement) program to establish a mandatory Certification Program for industrial wastewater treatment operators.

**FUTURE ACTION:**

- The Ministry plans to expand the Certification Program to other areas such as solid waste management, air and laboratory technicians, pesticide handling, drycleaners and launderers and other industrial sectors.
- Definition of scope of the Program and commitment of necessary corporate resources is required.

Human Resources Branch

## **ENVIRONMENTAL OFFICERS AWARDS**

### **BACKGROUND:**

- As a result of a Grievance Settlement Board decision, the new Environmental Officer series was created.
- An arbitration decision by Judge Ord on October 11, 1989 awarded an increase of 12% for the Environmental Officer series.
- A successful appeal was lodged by the Union against the Ministry's application of the 12% award. This successful appeal overrode the Government's standing policy on the implementation of salary awards.
- All appropriate salary adjustments were made in compliance with these awards.

### **CURRENT SITUATION:**

- On January 11, 1991 the Human Resources Secretariat applied for a Judicial Review of Judge Ord's decision.
- This application was submitted through the Crown Law Office and prepared by Leslie M. McIntosh.
- The basis for the review is that the Judge erred in law and exceeded his jurisdiction in dealing with the application of his 12% award.
- There is no court date set for this review.
- If the Crown Law Office is successful in its appeal, the Union will take the issue to the Grievance Settlement Board which would result in a lengthy time lapse before any final decision is made.

Human Resources Branch

## EXPERIENCE PROGRAM

### BACKGROUND:

- A minimum wage program (\$5.00/hour wage) sponsored and fully funded by the Human Resources Secretariat to offer meaningful work experience projects to students ages 15-24 for a maximum 16 week assignment.

### CURRENT SITUATION:

- \$210,050 Ministry allocation for the summer of 1990 as compared to \$206,800 for 1989.
- 73 students were employed throughout the Province.

#### Regional Distribution

#### Youths Hired

Northwest	13
Northeast	8
Southeast	5
Southwest	7
Central	1
West Central	7
Metropolitan Toronto	32

- Varieties of projects included:

#### Environmental Officer Assistants

- to assist in evaluating surface/groundwater quality/quantity; and
- to ensure our rivers, lakes and streams are free from pollutants by taking samples and identifying biological organisms in these samples.

#### Niagara River Project

- to do scientific and technical investigations on the Niagara River;
- participating in high profile environmental issues and dealing with the public;
- environmental monitoring and collecting data and samples.

#### Laboratory Assistants

- to do analysis of river, lake and stream samples;
- use scientific equipment in the sample analysis; and
- to do scientific reports.

Human Resources Branch

## HUMAN RESOURCES MANAGEMENT MODEL

### BACKGROUND:

- The 1986 Task Force Report "Moving Ahead" identified the need for a human resources corporate committee structure with broad staff participation to address human resources issues in the Ministry.
- Committee structure:
  - (1) Human Resources Planning Committee (HRPC)  
  
Membership: Deputy Minister, Division Heads, Director of Human Resources Branch, secretary;
  - (2) Staff Relations Committee (SRC)  
  
Membership: Division Head acts as Chair, Director of Human Resources Branch, one Human Resources Consultant, one Director, two management staff, a bargaining unit representative from the Employee Relations Committee, a Safety Officer (bargaining unit) and one member-at-large from the bargaining unit, secretary;
  - (3) Divisional Committees (four)  
  
Membership (minimum): Director to act as Chair, Director of Human Resources Branch, one Human Resources Consultant, Administrative Manager(s), one District Officer or Unit Head, one bargaining unit staff, one management staff, a representative of the Division Head, possibly a representative from Boards/Commissions, secretary;
  - (4) Branch/Region Committees.

### CURRENT SITUATION:

- A comprehensive review of the SRC and the four divisional committees' structure, terms of reference, communications network, accomplishments and review of minutes for period August 1989 to July 1990 has been completed and was presented to the SRC in December 1990. At their next meeting, the SRC will be responding to this review.
- The Operations Division disbanded its committee in September 1990. They felt that with their regional committees now in place, there was no longer a need for the divisional committee.



**FUTURE ACTION:**

- With input from the SRC, the Human Resources Branch will be making recommendations to the HRPC concerning possible changes to the Human Resources Management Model.

Human Resources Branch

## ONTARIO ENVIRONMENTAL TRAINING CONSORTIUM

### BACKGROUND:

- Prior to 1990, the Training and Certification Section of the Ministry of the Environment conducted 68 training sessions for Ministry and non-Ministry personnel.
- As a result of this level of activity, the training facility and staff were at their capacity. The need for the development of new courses required that some of Training and Certification Section's capacity be made available for this task.
- Municipalities required more training than the Training and Certification Section could deliver.
- In November 1989, community colleges, based on their expertise and interest in environmental training, were invited to initiate an Ontario Environmental Training Consortium.

### CURRENT SITUATION:

- Twenty (20) community colleges are members of the consortium.
- To date, the consortium has conducted 18 training sessions in Utility Operations to 273 students.
- The Training and Certification Section of the Ministry of the Environment controls the standard quality of the course content and instruction through instructor screening, student examinations and curriculum development.

### FUTURE ACTION:

- Investigate the possibility of the consortium to offer courses directed to sewer-use by-law enforcement officers developed by Water Resources Branch under MISA.
- Assist the consortium to develop and offer a regular training program (two years, normal stream) to train sewer-use by-law enforcement officers.

- Investigate the possibilities of the consortium to offer training associated with the changes to the Environmental Assessment process.

Human Resources Branch

## GRIEVANCE STATISTICS HIGHLIGHTS - DECEMBER 31, 1990

### BACKGROUND:

- One hundred seventy-five new grievances entered the grievance system between January and December of 1990. This represents a 55% increase over the number of grievances received during 1989.
- One hundred eighty grievances were resolved during that same 12 month period.
- Eighty-one percent of all resolved grievances were settled prior to a formal hearing at the Grievance Settlement Board.
- Four hundred fifty-seven grievances remain outstanding from 1986. These include 358 classification grievances and 99 working condition grievances. Of the 358 classification grievances, 144 are from the Chemical Technician series and 42 are from the Environmental Officer series. Both of these groups' grievances will be resolved in 1991, leaving only 172 outstanding classification grievances. Of the 99 outstanding working condition grievances, nine relate to the issue of Stand-by versus On-call.

Human Resources Branch

## ONTARIO/QUEBEC EXCHANGE STUDENTS

### BACKGROUND:

- An exchange program that plans to exchange 300 (150 from each Province) university students during the summer of 1990.
- A cultural program whereas the participants have an opportunity to improve their proficiency in the English language and to profit from their work experience.
- This program is fully funded by the Human Resources Secretariat. Salaries are in accordance with the rates set by the Quebec government for summer students and their academic level.
- The students are employed for a 13 week assignment.

### CURRENT SITUATION:

- Seven students were employed by the Ministry in 1990.

<u>Distribution</u>	<u>Students Placed</u>
Laboratory Services	2
Financial and Capital Management	2
Approvals	1
Hazardous Contaminants Coordination	1
Systems Information and Technology	1

Human Resources Branch

## **STRATEGIES FOR RENEWAL/EMPLOYMENT EQUITY (SFR/EE)**

### **BACKGROUND:**

- The Ministry of the Environment is committed to the corporate goals and objectives of the SFR/EE programs. Through a number of initiatives and within its operational requirements, the Ministry plans to improve the representation of EE designated groups and youth. These initiatives, goals and timetables are reflected in the Action Plans (three year planning cycle), Supplementary Action Plans and Updates submitted to the Human Resources Secretariat (HRS).

### **CURRENT SITUATION:**

- Three year Action Plan ending March 31, 1993 was submitted to HRS January 15, 1990.
- Supplementary Action Plan with details of initiatives was submitted to HRS in October 1990.
- 1991-92 Updates of SFR/EE were submitted to HRS January 15, 1991.
- HRS assessed Ministry plans as showing solid commitment to SFR/EE.
- Consultant hired to provide awareness training to management staff and retained to provide similar training to all staff.
- Training in Managing and Valuing Diversity has commenced and is continuing.
- The Credentialism Committee to remove unnecessary credentials has de-credentialized 40% of the positions that were referred to it.
- Native Outreach Recruitment was successfully implemented. Eight Environmental Officers (trainees) have been recruited.
- Native education video and two trainee positions for women in non-traditional jobs are underway.
- Assessment of EE designated groups employees for career development are proceeding through the Interministerial Career Development Centre.
- Physical Demands Analysis (PDA) project has been re-assigned to Staff Relations Section in order to speed up the project. By July 1991, PDA will be completed on all positions.
- Special equipment and services were provided to facilitate persons with disabilities.

- EE/SFR Liaison Committee was established to provide feedback and input into program development and delivery.
- A centralized EE training fund of \$125,000 was established in the HR Branch to implement the EE Diversity training.

#### **FUTURE ACTION:**

- Continue to provide the rationale for government and Ministry initiatives for SFR/EE, address issues/concerns/ problems and minimize the negative perception of the program.
- Communicate EE Goals and Timetables and Strategies for Renewal to all staff.
- Work with management to set Branch/Regional/Divisional/Ministry implementation plans.
- Executive outreach recruitment sessions: one for Women, to be chaired by Julyan Reid, ADM, is underway. Similar ones for the other four designated groups will follow.
- Meeting of the Employment Equity Liaison Committee: 12 persons (two from each designated group plus white able-bodied males) will act as a conduit for staff's ideas and concerns and evaluate programs in multiculturalism, diversity and race relations.
- Ongoing meeting with Human Resources Consultants and line managers to operationalize SFR/EE action plan across the Ministry.
- Career Development Plans for EE designated group staff at Levels 16 and above: identifying training needs by personal interviews and discussions with Directors, utilization of Career Development Centre, utilizing waivers and restricting areas of search to attract more applicants for jobs at these levels.
- Review and monitor SFR/EE programs and provide feedback and update.
- Provide counselling services to Employment Equity designated group members for job opportunities, promotion, training, secondments and discrimination in the workplace.
- Eighteen proposals (out of 34) to access EE Fund were forwarded to HRS for approval.

Human Resources Branch

**ANALYSIS AND PLANNING (1501-5)**



## SOCIO-ECONOMIC STUDIES

### **BACKGROUND:**

- The Ministry carries out socio-economic assessments in support of all programs and initiatives. These assessments take into consideration the economic, financial and social consequences of environmental policy from a variety of perspectives: the economy (international and domestic), regions, municipalities, firms, plants and individuals.

### **MISA - Industrial:**

- . sectoral economic profiles through consultant and in-house studies.
- . sectoral cost of monitoring reports by staff. Costs of monitoring were estimated at the individual plant level, and the financial and consequences of these costs on the plant, firm, sector and province were assessed.
- . consultant study on Best Available Technology (BAT) for all nine sectors and the development of a model with which to derive least-cost abatement curves.
- . consultant study on the application of economic achievability assessments in other jurisdictions.
- . staff paper on economic achievability assessment.
- . staff report on the costs of abatement for the Petroleum (and eventually all other) sector.
- . staff compilation of the actual costs of monitoring.

### **MISA - Municipal/STPs:**

- . staff economic analysis of the costs to the initial 90 municipalities under the Sewer Use Control Program.
- . staff paper on economic achievability assessments and measures of ability-to-pay.
- . staff preliminary economic analysis on the upgrades to STPs.

### **Air Management Strategy:**

- . comprehensive series of consultant studies estimated the costs, consequences and benefits of the proposed revisions to Regulation 308. These include: estimated public benefits, estimation of the addition of abatement costs, monitoring/auditing/administration costs, macroeconomic impacts, economic costs and consequences, and the impact of dispersion assumptions of the estimated benefits.
- . staff economic analysis of the Countdown Acid Rain program.
- . staff economic analysis of components of the vehicle emissions strategy.

### **APIOS**

- . several staff and consultant studies as part of the APIOS Environmental Management and Economics Workgroup, including NO<sub>x</sub>/VOC, SO<sub>2</sub>/NO<sub>x</sub>, Vehicle Emissions and Cost, Acid Deposition Effects and Screening models, and Benefits of Oxidant Reductions.
- . consultant study (with Ministry of Transportation/Ministry of Energy) on Reduction of Energy Use and Emissions in Ontario's Transportation Sector.
- . proposed additional studies include the application of the acid deposition models to evaluate future emission reduction options, evaluation of air-borne toxic contaminant management strategies, and the evaluation of alternative SO<sub>2</sub>/NO<sub>x</sub> abatement configurations.

### **Waste Management/3Rs:**

- . comprehensive series of consultant studies in support of Ministry waste management initiatives and the accelerated 3Rs program. These socio-economic studies assess and evaluate the economic and physical dimensions of waste management in Ontario, the markets for secondary materials, the impact of true cost pricing, alternate user-pay mechanisms, and the impact of various policy options for the attainment of waste diversion objectives.

### **Remedial Action Plans:**

- . socio-economic studies, through consultants, on the Hamilton Harbour and Bay of Quinte RAPs.
- . a generic study of all the RAPs, through a consultant, which provided a general framework for the economic assessments of RAPs and a preliminary indication of the costs and benefits of implementing the overall RAPs program.

**Research Advisory Committee:**

- . environmental socio-economic research. For example, development of an analytical model to quantify environment-economy linkages in the context of sustainable development, psycho-social impacts of waste management facilities.

**Ancillary Studies:**

- . many socio-economic studies and analyses are carried out in general support of Ministry initiatives. For example, the review of the impact on the competitiveness on Ontario industry of environmental requirements, business combinations and mergers, and an examination of the Environmental Protection Industry.

Policy and Planning Branch

**LEGAL SERVICES (1501-6)**

## INTERVENOR FUNDING - POSSIBLE NEW REGULATIONS

### BACKGROUND:

- The Intervenor Funding Project Act, 1988 (I.F.P.A.), administered by the Ministry of Attorney General, provides for the funding of legal fees at Legal Aid rates. It is unclear whether the Legal Aid Act is to apply to more than the hourly fees for counsel. If not, then the only eligible disbursements are those set out in Section 7(5) namely, typing, printing, copying and transcripts necessary for the representation for the interest.
- The Environmental Assessment Board has interpreted this Section to allow travel disbursements for lawyers at the Legal Aid rate.
- A further ambiguity lies in Section 7(5) of the I.F.P.A. dealing with eligible disbursements for consultants and expert witnesses. It is unclear whether the eligible disbursements for consultants and expert witnesses are restricted to "typing, printing, copying and transcripts necessary for the representation of the interest" or whether any reasonable disbursements of such individuals or other specified disbursements are followed.
- The Environmental Assessment Board has interpreted this Section to mean that reasonable disbursements are to be allowed for consultants and experts rather than limiting the disbursements to those specifically set out in Section 7(5).
- Given the ambiguity in the Legal Aid Act and the present procedure of the Environmental Assessment Board, it would appear to be prudent to use Section 11 of the I.F.P.A., which allows the Lieutenant-Governor in Council to "make regulations naming expenditures that shall be considered to be eligible disbursements", to enact regulations to:
  1. clarify that the eligibility of legal disbursements is to be determined by the Funding Panel in accordance with the Legal Aid Act and the regulations under it; and
  2. provide the Funding Panel with the authority to award intervenor funding for reimbursement of disbursements which in the Panel's view are reasonable and are directly related to the costs of participating in the hearing process. If such an authority is determined to be too broad, then the types of disbursements that would be eligible could be specified.

**CURRENT SITUATION:**

- The Environmental Assessment Board has written both the Attorney General and the Minister of the Environment requesting that the above-noted recommendations be implemented as soon as possible. MOE is awaiting the decision from the Attorney General's Office as to the form and content of such regulations.

**FUTURE ACTION:**

- Implementation of the Regulation rests with the Attorney General.

Legal Services Branch

HC  
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1990-91 estimates current  
issues : ministry administration  
(1501) main office corporate  
resources division /  
709